

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                 |   |                 |
|---------------------------------|---|-----------------|
| GRAYSON RURAL ELECTRIC          | ) |                 |
| COOPERATIVE CORPORATION         | ) |                 |
| _____                           | ) | CASE NO. 98-590 |
|                                 | ) |                 |
| ALLEGED VIOLATION OF COMMISSION | ) |                 |
| REGULATION 807 KAR 5:041        | ) |                 |

O R D E R

Grayson Rural Electric Cooperative Corporation ("Grayson RECC") is a Kentucky corporation that engages in the distribution of electricity to the public, for compensation, for lights, heat, power, and other uses. Grayson RECC was formed under KRS 279.010 to 279.220, and is a utility subject to Commission jurisdiction pursuant to KRS 278.010 and KRS 279.210.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated 807 KAR 5:041, Section 3(1), which requires electric utilities to maintain their plant and facilities in accordance with the standards of the National Electrical Safety Code (1990 Edition) ("NESC"). The Commission also promulgated 807 KAR 5:006, Section 24, which requires a utility to adopt and execute a safety program.

Commission Staff has submitted to the Commission a Utility Accident Investigation Report dated September 29, 1998, appended hereto, which alleges:

1. On February 7, 1998, Harry Hosack, Jr., suffered burn injuries to his left hand and left foot while connecting a jumper to a 7200-volt primary line in Carter County, Kentucky.
2. At the time of the incident, Grayson RECC owned and operated the facilities in question.
3. At the time of the incident, no protective covering was being used.
4. At the time of the incident, Eugene Bush was in charge of the work site.
5. At the time of the incident, Eugene Bush was an employee of Grayson RECC and Harry Hosack was an employee of EZ Electric, Inc. and both were acting within the scope of their employment.
6. At the time of incident, EZ Electric, Inc. was acting within the scope of a contract with Grayson RECC to construct and install certain utility plant.
7. NESC Rule 420H requires a person to use the personal protective equipment and protective devices, and the special tools provided for the work.
8. NESC Rule 443A1 requires that a person working on energized lines and equipment must be insulated from energized parts, or must be isolated or insulated from ground and grounded structures and potentials other than the one on which he is working.
9. Hosack failed to comply with NESC Rules 420H and 443A1.
10. Bush failed to require that all safety rules and operating procedures were observed by those under his direction. His failure to do so is a violation of NESC Rule 421A, which requires a person in charge to adopt such precautions as are within his

authority to prevent accidents and to see that the all safety rules and operating procedures are observed by those under his direction.

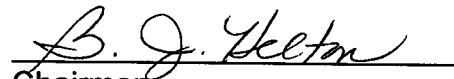
Based on its review of the Utility Accident Investigation Report, and being otherwise sufficiently advised, the Commission finds that *prima facie* evidence exists that Grayson RECC failed to comply with Administrative Regulation 807 KAR 5:041, Section 3, and 807 KAR 5:006, Section 24.

The Commission, on its own motion, HEREBY ORDERS that:

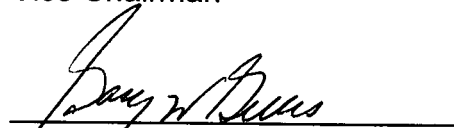
1. Grayson RECC shall submit to the Commission within 15 days of the date of this Order a written response to the allegations contained in the Utility Accident Investigation Report.
2. The Utility Accident Investigation Report of September 29, 1998, a copy of which is appended hereto, is made part of the record of this proceeding.
3. An informal conference with Commission Staff is set for December 11, 1998, at 10:30 a.m., Eastern Standard Time, at the Commission office at 730 Schenkel Lane, Frankfort, Kentucky, in Conference Room 2, to consider any matter that would aid in the handling or disposition of this proceeding. Grayson RECC shall be represented by an officer with authority to represent the utility.
4. The Commission will consider a date for a Show Cause Hearing, pending the disposition of this case, if any, at the informal conference.

Done at Frankfort, Kentucky, this 24th day of November, 1998.

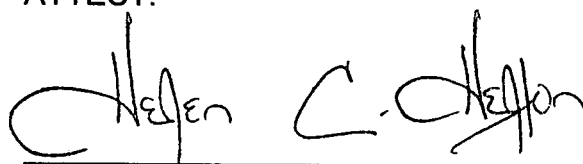
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:


  
Executive Director

September 29, 1998

## UTILITY ACCIDENT INVESTIGATION REPORT

|                                 |   |               |                           |             |    |
|---------------------------------|---|---------------|---------------------------|-------------|----|
| <b>Utility:</b>                 | Grayson Rural Electric Cooperative Corporation  |               |                           |             |    |
| <b>Reported By:</b>             | Carol Hall Fraley – President and CEO   |               |                           |             |    |
| <b>Dates &amp; Times</b>        | <b>Accident Occurred:</b>   |               |                           |             |    |
|                                 | 02/07/98 – Approximately 12:20 p.m.   |               |                           |             |    |
|                                 | <b>Utility Notified:</b>  |               |                           |             |    |
|                                 | 02/07/98 – Approximately 1:45 p.m.  |               |                           |             |    |
|                                 | <b>PSC Notified:</b>  |               |                           |             |    |
|                                 | 02/07/98 – Approximately 3:38 p.m.  |               |                           |             |    |
|                                 | <b>Investigated:</b>  |               |                           |             |    |
|                                 | 02/10/98  |               |                           |             |    |
|                                 | <b>Written Report Rcvd:</b>   |               |                           |             |    |
|                                 | 02/12/98 .  |               |                           |             |    |
| <b>Location of Accident:</b>    | Iron Hill, on Route 7 in Carter County, Kentucky  |               |                           |             |    |
| <b>Description of Accident:</b> | Mr. Hosack was connecting a jumper to a 7200 Volt primary line. Mr. Hosack made contact with the energized line and was shocked and burned. Mr. Hosack was not wearing rubber gloves.                                   |               |                           |             |    |
| <b>Victims:</b>                 |   |               |                           |             |    |
| <b>Name:</b>                    | Harry Hosack, Jr.   | <b>Fatal:</b> | No                        | <b>Age:</b> | 33 |
| <b>Addr./Empl.:</b>             | EZ Electric, Inc., 4812 W. Pea Ridge Road, Huntington, West Virginia 25707  |               |                           |             |    |
| <b>Injuries:</b>                | Entry wounds, left hand, index and middle finger, blister in palm of hand, flash burns on the knuckles and there is an exit wound in the top of the left foot. Also, there are abrasions on the left hip and lower leg. |               |                           |             |    |
| <b>Witnesses:</b>               | <b>Name</b>   |               | <b>Address/Employment</b> |             |    |
|                                 | Tony McGlone  |               | EZ Electric, Inc.         |             |    |
|                                 | Mike Miller   |               | EZ Electric, Inc.         |             |    |
| <b>Sources of Information:</b>  | <b>Name</b>   |               | <b>Address/Employment</b> |             |    |
|                                 | Gene Bush   |               | Grayson RECC              |             |    |
|                                 | Tony McGlone  |               | EZ Electric, Inc.         |             |    |

September 29, 1998

|                                       |  |                         |   |       |              |
|---------------------------------------|--|-------------------------|---|-------|--------------|
|                                       | Mike Miller  |                         | EZ Electric, Inc.                         |       |              |
| Probable Violations:                  | There was a probable violation of 807 KAR 5:041, Electric, Section 3(1) and NESC, Section 42, Subsection, 420H. Tools and Protective Equipment |                         |   |       |              |
| Line Clearances At Point of Accident: | Measured   | Minimum Allowed by NESC | Applicable NESC Edition <sup>1</sup> 1990 | Volt. | Constr. Date |
| Primary:                              | 35' - 10"  | 18' - 6"                | Table 232-1                               | 7200  | 1941         |
| Neutral:                              | 31' - 11"  | 15' - 6"                | Table 232-1                               | N/A   |              |
| Telephone:                            | 25' - 2"   | 15' - 6"                | Table 232-1                               | N/A   |              |
| Telephone:                            | 24' - 0"   | 15' - 6"                | Table 232-1                               | N/A   |              |
| Date of Measurement:                  | 02/10/98   |                         |   |       |              |
| Approximate Temp.:                    | 40°F   |                         |   |       |              |
| Measurements Made By:                 | Gene Bush, Kim Bush, Grayson RECC employees and Bob Ueltschi, PSC  |                         |   |       |              |
| Investigated By:                      | Bob Ueltschi   |                         |   |       |              |
| Signed:                               |   |                         |   |       |              |

- Attachments A. Grayson RECC's Accident Report  
B. Photographs of Accident Site

<sup>1</sup> Current edition adopted by the Commission. If clearances are not in compliance with the current edition, then the edition in effect when the facilities were last constructed or modified would apply.

## Attachment A

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### Grayson RECC's Accident Report

FEDERATED RURAL ELECTRIC  
INSURANCE CORPORATION  
P. O. Box 15147  
St. Lawrence Mission, KS 66215  
(913) 541-0150

INVESTIGATION REPORT  
PUBLIC ACCIDENT  
ELECTRICAL CONTACT

INSTRUCTIONS:

1. Forward original to Federated
2. Attach diagram & photographs
3. Use additional sheets of paper if necessary

COOPERATIVE: Name Grayson Rural Electric Cooperative Corporation Telephone No. 606-474-5136  
Address 109 Bagby Park, Grayson, KY 41143

DATE OF ACCIDENT: 2 / 7 / 98 PM Cooperative 2 / 7 / 98 1:30 PM Notified

LOCATION: Iron Hill, Route 7, Carter County

DESCRIPTION OF ACCIDENT: Mr. Hosack was connecting a jumper on an A6, double dead-end and made contact with an energized line.

| CLAIMANTS: | Name              | Address                 | Telephone No.          | Occupation       |
|------------|-------------------|-------------------------|------------------------|------------------|
| 1.         | Harry Hosack, Jr. | % EZ Electric, Inc.     | 304-736-8659           | Journeyman Liner |
| 2.         |                   | 4812 W. Pea Ridge Road, | Huntington, W VA 25707 |                  |
| 3.         |                   |                         |                        |                  |
| 4.         |                   |                         |                        |                  |

EXTENT OF INJURY: 1. Burns on palm of left hand  
2. Burn on top of left foot  
3. Left lower leg skinned  
4. Left side bruised

Ambulance, Doctor, Hospital, Etc.

TREATMENT: Admitted to Kings Daughters Hospital on Saturday evening.  
Released about 1:30 p.m. Sunday evening.

COOPERATIVE EMPLOYEES AT SCENE: Name Eugene Bush Job Title Construction Supervisor  
was working about 1 1/2 miles away but was not at the scene.

| WITNESSES: | Name         | Address             | Telephone No. |
|------------|--------------|---------------------|---------------|
|            | Tony McGlone | % EZ Electric, Inc. | 304-736-8659  |
|            | Mike Miller  | % EZ Electric, Inc. | 304-736-8659  |

LAW OR OTHER OFFICIALS INVESTIGATING: Mr. Robert Ueltschi, Kentucky Public Service Commission

WEATHER AND  
TERRAIN  
CONDITIONS :

40 - 45° and Sunny, ground very wet Pole was located on a hillside.

SYSTEM  
PROFILE:

Voltage--type & size conductor--type pole structures--etc.

7200 volts single phase, double dead-end with tap, cutout, guy wire,  
telephone and transformer

PROTECTIVE  
DEVICES:

Type

Location

Rating

Did They Operate?

N/A

DID OUTAGE  
OCCUR?

Yes

Date

Time

AM

Duration

No

Power was on up to that point.

WAS COOPERATIVE  
NOTIFIED OR  
AWARE OF WORK  
IN THE AREA?  
EXPLAIN:

Cooperative had experienced approximately 20 " of snowfall. Contract  
crews were restoring power in the area, as assigned.

CLEARANCES:

Prepare and attach a diagram. It need not be to scale but the measurements must be accurate. If clearances are reduced because of the accident, measurement and photographs are needed before returning to original condition. Document what caused the reduced clearance, such as broken pole or guy wire, construction equipment, etc. Reference distances to point of impact.

CODE REQUIREMENTS

FOR LINE IN  
QUESTION:

Clearance exceeded NESC requirements - according to Mr. Ueltschi.

AGENCY  
INVOLVED:

Antenna, auger, crane, construction equipment, etc. Give measurements, make, model, or serial number. Describe any warning signs.

N/A

ADDITIONAL  
COMMENTS:

Photos of the accident site are attached.

PREPARED BY:

*Carmel H. Tracy*  
Signature

President & CEO  
Job Title

2/11/98  
Date

1606 474 5136  
Telephone No.

Double Decker pole

7200 volt primary

Neutral

#6 cwc conductor

TRANS. →

Tele.

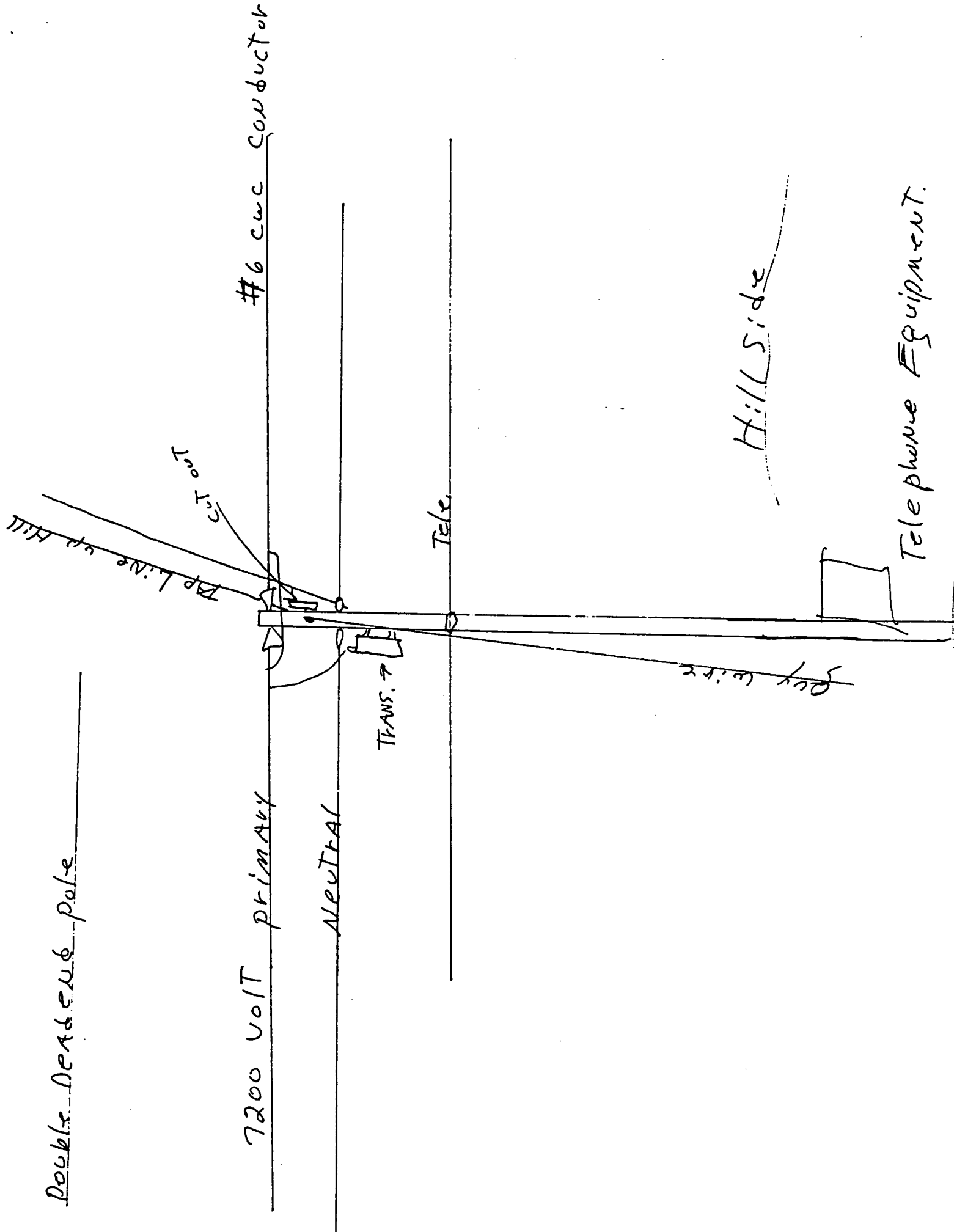
Hill Side

Telephone Equipment.

Tap Line up Hill

Cut out

Sec wire



## **Attachment B**

### **Photographs of Accident Site**

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